

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IRA MERCER,

Plaintiff,

-against-

NEW YORK CITY POLICE DEPT – 47
PRECINCT, *et al.*,

Defendants.

24-CV-2827 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiff, who is proceeding *pro se*, brings this action invoking the court's federal question jurisdiction, 28 U.S.C. § 1331. He names as defendants two police officers from the New York City Police Department, the District Attorney for Bronx County, and a Court Attorney Referee for the Family Court of the State of New York. For the reasons set forth below, the Court dismisses this action.

Plaintiff has previously submitted to this court an identical complaint in which he asserted the same claims against the same defendants. That action is presently pending in this court under docket number 24-CV-2803. Because this complaint is identical to the one in that action, no useful purpose would be served by litigating this duplicative action. The Court therefore dismisses this complaint as duplicative, without prejudice to Plaintiff's pending case under docket number 24-CV-2803.

CONCLUSION

The Court dismisses this action without prejudice as duplicative of the case under docket number 24-CV-2803. All other pending matters in this action are terminated.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this case.

Dated: April 17, 2024
New York, New York

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
Chief United States District Judge